

REMARKS

Claims 4, 9 and 10 were pending in the instant application. Claim 10 has been cancelled. Applicant reserves the right to file divisional applications on the subject matter of the canceled claims. After entry of this amendment claims 4 and 9 will be pending. The Examiner has acknowledged that claims 4 and 9 are directed to allowable subject matter.

The specification was objected to because a sequence identifier is missing at page 4, line 8. The specification was amended to delete the sequence "KDEL" and was replaced with the Murano et al. reference (a copy of which is enclosed for the Examiner's convenience of review) in which the KDEL sequence is disclosed. Applicant respectfully submits that this amendment does not introduce new matter as the KDEL sequence is the only ER retention sequence disclosed in Murano et al. Applicant therefore respectfully requests that the objection to the specification be withdrawn.

Rejection under 35 U.S.C. § 112

Enablement

Claim 10 was rejected under 35 U.S.C. § 112, first paragraph for allegedly failing to comply with the enablement requirement. Claim 10 has been canceled rendering this rejection moot.

Rejection under 35 U.S.C. § 102

Claim 10 was rejected under 35 U.S.C. § 102(b) as being anticipated by Estruch et al. (WO 98/44137). Claim 10 has been canceled rendering this rejection moot.

CONCLUSION

In view of the above described amendments and remarks, Applicant respectfully submits that this application is now in condition for allowance. No new matter has been added. Accordingly, entry of the above amendments is respectfully requested. If, in the opinion of the Examiner, a telephone conference would expedite the prosecution of the subject application, the Examiner is invited to call Applicant's undersigned attorney.

Respectfully submitted,



Syngenta Biotechnology, Inc.
3054 Cornwallis Road
Research Triangle Park, NC 27709

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Gregory W. Warren
Registration No. 48,385
Telephone: 919-541-8646
Fax: 919-541-8689